

1 **Planning Board Minutes**
2 **Tuesday, August 3, 2004**

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4 **Memorial Building**
5 **150 Concord Street, Public Hearing Room**
6

7 Those present: Thomas Mahoney, Chairman, Ann Welles, Vice Chairman, Carol Spack, Clerk,
8 Sue Bernstein and Andrea Carr-Evans. Also present are Jay Grande, Planning Director and
9 MaryRuth Reynolds, Administrative Assistant.

10 Meeting was called to order at 7:35 pm

11 **I. Approval of Minutes**

12 The Board reviewed the June 8, 2004 meeting minutes. No changes were
13 recommended. Carol Spack made a motion to accept the minutes as transcribed.
14 Andrea Carr-Evans seconded the motion. The vote was 5 in favor 0 opposed.

15 **II. Continued Public Hearing for Preliminary Subdivision Plan, Brimstone Estates**

16 **II, 350 Brimstone Lane**

17 In attendance for applicant: Peter Barbieri and Mr. Franchi and Bruce Ey from
18 Schofield Engineering.

19 Jay Grande gave a brief update on the status of this subdivision. He stated that there
20 had been an initial hearing several weeks prior which was continued to tonight.
21 However the Board still has not received any comments from The Engineering
22 Department, Transportation Division of the DPW or The Board of Health. Jay felt
23 that the Board needed to review in more detail the design of the roadway, slopes and
24 general information with the waivers.

1 Peter Barbieri gave a brief summary of the construction standards that they propose
2 to complete. They will be constructing a road that is 20 feet in width. A waiver will
3 be requested to allow for no sidewalk because there is no existing sidewalk on
4 Brimstone Lane now. The other waivers being requested are existing conditions,
5 length of the roadway, and the curvature and slope of roadway. Peter Barbieri stated
6 that the relocation of the roadway will not affect any of the abutters except for the
7 extension of one driveway. Jay Grande mentioned that the applicant filed on May 19,
8 2004 and the Board had received an extension that will expire on August 6, 2004.
9 Unless the applicant grants another extension the Board needs to take some final
10 action tonight. The Applicant felt that they had provided the information to show that
11 they have done their best to improve the deficiencies and that there is no new
12 information they can show without going to a definitive plan. Jay Grande noted that
13 there had been an additional comment from the Coordinator of the School Buses as to
14 the condition of the road. He was told that a standard school bus cannot be sent up
15 Brimstone and that a van needs to be sent in, the concern is that with the possibility of
16 additional homes with more school children this may create a much larger busing
17 problem. Carol Spack made a motion to recommend the denial the of the Preliminary
18 application Subdivision Plan, Brimstone Estates II, 350 Brimstone Lane for non
19 compliance of design standards of the By-laws section 7, specifically the length,
20 curvature and slope of roadway, emergency accessibility. Sue Bernstein seconded
21 the motion. The vote was 5 in favor 0 opposed.

22 **II. Administrator Report**

23 **1. ADESA, Boston, Inc.**

1 Jay updated the Board on ADESA he stated that Peter Barbieri will be sending a
2 letter regarding the extension of the special permit for that project.

3 2. **Doeskin II subdivision**

4 Jay stated that he had been up to the site several times recently. He informed the
5 Board that the area towards Lot 7 & Lot 8 had been hydro seeded but that the
6 hydro seeding had not taken and slid down the hill. This caused the siltation of the
7 stream and some silting from the lower end of the slope. He felt that the condition
8 that caused this to move so quickly was break out water from the unfinished lot's
9 drainage systems which aren't in operation due to ongoing construction. Jay
10 Grande felt that if the applicant had installed the recommended siltation fence and
11 hay bales, the siltation would have been minimized. At present the applicant had
12 installed a bigger head wall and has since installed the silt fencing. Jay Grande
13 felt that the new head wall should work and the Board should receive a letter to
14 that effect. The Conservation Commission had reviewed the impact of the
15 siltation and had opted not to ticket the applicant because the long term damage
16 was minimal. The Board felt that the applicant had repeatedly under-complied
17 with their requirements and that this seems to be a repeating problem and
18 wondered what measures can be taken to resolve that. The Board decided to send
19 a letter to the Building Department requesting that at the request of the Planning
20 Board Director, no further building permits be issued for any lots in Doeskin II
21 subdivision including Lot 7 until such time that all the erosion measures that are
22 required of the developer and by the by-laws are installed correctly. Further that
23 the building sites that are presently under construction are stabilized with

1 vegetation cover and that we not issue any permits until our consultant Peter Baril
2 of GZA gives us written determination that it is 100% complete to his
3 satisfaction.

4 3. **Request for Sign variance for 1 Nicholas Road, Pinefield Plaza**

5 Sue Bernstein mentioned that in tonight's packet there is an application for a sign
6 variance for the Pinefield Plaza. She noted that the denied sign is not within the
7 guidelines of the new town Sign By-Laws and that the Board should draft a letter
8 to the ZBA and remind them that the new Sign By-Law is due to come into
9 existence and recommend that it would be prudent to begin adhering to the letter
10 of the bylaw.

11 4. **ZBA Application for Review 846 Concord Street**

12 The Board felt that Jay Grande should draft an information letter to ZBA in
13 regards to the remediation container, stating that the remediation container is an
14 important project for the environment and that the variance would be desirable,
15 however on a temporary basis only.

16 **III. ANR Plan for 264 Union Ave**

17 Representing the Applicant was Rob Gemma.

18 Sue Bernstein stated that the required community notice sign had not been posted on
19 the property. Jay has indicated that the timeline will expire before the Board meets
20 again and that the Board needed an extension to continue. Rob Gemma grants the
21 Board an extension. Jay noted that the Town Engineer did recommend endorsement
22 of this plan.

23 **This ANR was continued to August 17, 2004 at 8:30 pm.**

1 **VI. Signing of the Kendall Plans**

2 Board members signed the Kendall Plans.

3 **VII. ANR Plan for 5 EdgeBrook Lane**

4 Representing the Applicant was Paul Galvani.

5 Paul explained that this ANR Plan is simply a small land swap to correct an existing
6 encroachment. Five square feet of lot 1 is going to lot 2 and an easement was created
7 to correct the encroachment. Thomas Mahoney noted that according to the
8 application all the taxes are current and that the Town Engineer does recommend
9 approval. Ann Welles made a motion to approve the ANR Plan as depicted on the
10 easement plans prepared by Drake Associates dated December 15, 2003 which
11 reflects a parcel at 5 EdgeBrook Road lot 1 as well as lot 2. Sue Bernstein seconded
12 the motion. The Vote was 5 in favor and 0 opposed.

13 **VIII. Continued Public Hearing for Site Plan Review Approval, Special Permit for**
14 **Use, Special Permit for Reduction in the Required Number of Parking Spaces,**
15 **Special Permit for the Dimensional Relief from Off-street Parking Requirements**
16 **and Public Way Access Permit, Murphy and McManus, 380 Waverly Street,**
17 **Community Health Center.**

18 Thomas Mahoney announced that tonight's topic of discussion would be limited to
19 Architecture and Site Design only and that Traffic and Parking would be discussed at
20 a later hearing.

21 In attendance for the applicant: Paul Galvani, Ed Moore - Metro West Medical, Pam
22 Helmold – Framingham Family Health Center, Matt Assia – Murphy and McManus,
23 John Pears – SBA and John Hess

1 Paul Galvani gave a brief update on what the applicant had been doing since the
2 initial Public Hearing on June 22, 2004. He stated that they had met with the
3 engineering department to review some of their concerns and he felt they wouldn't
4 have any problems satisfying those concerns. They appeared before the Disability
5 Commission on June 23, 2004 and the ZBA on July 20, 2004 in which they asked for
6 set back variances. Paul stated that they would also like to respond to some of the
7 questions raised by the Board after the presentation. John Pears gave the architectural
8 presentation. He indicated how he tried to simulate the height of the surrounding
9 buildings by using different shades of exterior brick work and glass. They hoped to
10 create a pedestrian environment by placing the building up to the side walk with the
11 parking in the back shielded by trees and hedges. Although they had not chosen a
12 color pallet John Pears showed the Board a small sample of the possible colors and
13 materials that will be used. The Board asked a few miscellaneous questions during
14 the presentation on color and style of the architecture. Ann Welles asked if the
15 mechanicals will be visible. John Pears responded that no, they will be screened by
16 some form of a perforated insulated metal panel so as not to create the sense of a
17 fourth story. Carol Spack stated that she liked the first design very much, but felt that
18 this proposal looked top heavy and would like to see a darker base which might
19 stabilize the building better. She also wondered if they could possibly give some
20 design thought to the sidewalks in the area to create a better environment to get
21 people walking. John Pears responded to Carol Spack's first comments by saying
22 that they could move the darker base of the building up to the top of the first floor
23 windows which would carry the theme of the other buildings in the area better. Ann

1 Welles asked about the lighting on the building. John Pears responded that the
2 lighting will be primarily dealt with by the glazed opening and just under the canopy
3 and that there would be no exterior lighting on the building because the street
4 lighting would do that. Andrea Carr-Evans wanted to know what type of signage will
5 be used. John Pears stated that although that decision had not been made, he felt that
6 a cut metal sign with a back light always works well. Thomas Mahoney opened the
7 hearing to public comments and reminded the audience to keep their comments to the
8 topic of the hearing. Robert Meltzer, Esq. legal representative for the Chicken Bone
9 Saloon spoke. He stated that the Chicken Bone Saloon opposed this architectural
10 project simply because they felt that a major construction site would adversely affect
11 their business. Another issue he pointed out was the size of the parking lot. They are
12 concerned that they will have to tow cars out of their lot being an inconvenience to
13 them for years. He also noted that he felt that this building would create a screen and
14 block all the businesses on Waverly Street affecting the livelihood of downtown
15 Framingham. He stated that they had a concern that their parking lot will be
16 encroached upon by construction vehicles during construction, something which they
17 will not allow. Janet Dash owner of Instant Checks felt that this isn't an appropriate
18 location for a health center. She stated that her customers do drive to her location and
19 that there are only about six parking spaces along the street to accommodate the cars,
20 hardly enough for a health center. Kathy McCarthy, Disability Commission stated
21 that the applicant did go before the Disability Commission and it did appear that they
22 incorporated some of the Board's suggestions into the parking plan. She stated that
23 they are still waiting to see plans on the interior workings of the building and are

1 concerned about the third floor area and what it would be used for. She stated they
2 had safety concerns with the drop off area, how this will connect with the hospital
3 and who will it serve. Pam Helmold responded to the questions about who will this
4 center serve. She stated that primarily the center will serve uninsured or under insured
5 patients, however it is open to all that need care. Edward Moore spoke in how this
6 will affect the ER at Metro West Medical Center. He stated that 20% of ER visits are
7 non-emergency visits and that the health center will help reduce these visits but there
8 are no figures to show by what percent. He said that Metro West Medical supports the
9 Framingham Community Health center and would hope they continue to do so in the
10 future. **This Public hearing is continued to September 7, 2004 at 9:00 pm for the**
11 **purpose of traffic and parking issues.**

12 *Jay Grande announced that if anyone had questions on traffic/parking issues that*
13 *they would like discussed at the next hearing to please forward them to him.*

14 **IX. Informal discussion for North Framingham Plaza at School Street**

15 Present are Paul Galvani, Arnold Lindick, Jim Gordon, and Joe Sullivan.

16 Paul Galvani stated that Walgreens is the anchor store located at the North
17 Framingham Plaza and wished to remain there long term. Walgreens proposed to
18 expand within the existing building and install a double drive thru prescription
19 window. Joe Sullivan gave a brief presentation of the site as it exists today. He
20 proceeded to present the possible proposed modifications. He stated that Walgreens
21 wanted to move the entrance to the corner of the building, closing off the corner
22 entrance to the parking lot, create the addition of green space area and incorporate a
23 double drive thru. Paul Galvani stated that they will be asking for an amendment for

1 modified site plan approval, special permit for drive –thru, and landscape setback
2 variances. The Board is concerned about the position of the entrance in relation the
3 queue lane for the drive-thru, flow of drive-thru traffic past the rear of the building,
4 the location of the entrance to the parking lot, and the need for a double drive-thru.
5 The Board agrees that if the parking space requirement is met and exceeded they
6 would like to see more green space in lieu of spaces. The Board requested to see a
7 more defined lay out of the parking lot and traffic flow should they return.

8 **X. Return discussion with 235 Old Connecticut Path Stop & Shop**

9 Attending are Tom Scott, Peterson Griffin Architect and Bill O'Brien Pinnacle
10 Partners. Tom Scott stated that they have returned with a new set of designs that they
11 felt took into consideration the Board's comments. Tom Scott stated that they went
12 back to the original design and tried to maintain as much of that design as possible.
13 Because the entrance still needs to be in the front and to make the canopy area more
14 accessible they created a walk way that runs all the way down the front of the
15 building. The only site plan changes are going to be curb cuts. The Board did not
16 approve of the new design. They felt that the front entrance will increase the safety
17 issues in the parking lot and passing traffic. They felt the current design is far
18 superior to the new proposal

19 **XI. Adjournment of Meeting**

20 **Sue Bernstein made a motion to adjourn. Carol Spack seconded the motion. The**
21 **vote was 5 in favor 0 opposed. Meeting adjourned at 11:20 pm.**

1
2 Respectfully submitted,

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4 Mary Reynolds
5 Recording Secretary
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7 ****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE**
8 **PLANNING BOARD MEETING OF September 21, 2004**
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Thomas Mahoney, Chairman